

**REMARKS**

Claims 1 and 23-41 are pending in this application. The Office Action rejected claims 1, 23-25, 28, 32, 33, and 41 under 35 U.S.C. §103(a) as unpatentable over Levine (5,123,046) in view of Kwoh (5,852,478) and claims 34-40 under 35 U.S.C. §103(a) as unpatentable over Levine in view of Kwoh and further in view of Geiger (5,081,534). The Office Action further rejected claims 26, 27 and 29-31 under 35 U.S.C. §103(a) as unpatentable over Levine in view of Kwoh and further in view of various other references, namely Miyagawa (4,989,081) and Mills (6,088,355). Applicant traverses these rejections.

**Discussion of the References****Levine (5,123,046)**

Levine is directed to a VCR with cable tuner control. Levine discloses that most video recorders (i.e., VCRs) include a system for enabling the automatic, unattended recording of programs scheduled for future transmission (Col. 1, lines 17-19). Often the source of signals for the video recorder include a scrambled cable or satellite signal that must be descrambled by a cable box before it can be recorded (Col. 1, lines 32-40). The cable box may be tuned to a particular channel within the signal by an operator and the output (i.e., the descrambled signal) may be provided to the video recorder (Col. 1, lines 40-45). As a result, to properly record a future scheduled television program, the cable box must be tuned to the desired channel at the time the signal is to be recorded (Col. 1, lines 52-56).

Levine discloses a remote control transmitter, connected to the video recorder by a flexible cable, which sends a signal to the remote control receiver of the cable box, causing it to tune to the appropriate channel at the time the video recorder is programmed to record a television program occurring on that channel (Col. 2, lines 16-21 and Col. 4, lines 12-29). In order to allow such a remote control transmitter to be used with several types of cable boxes, each of which may employ a different coding for channel selection, the video recorder includes three decoders which convert the channel selection output signals from the video recorder microprocessor into one of three formats, each for use with a different make of cable box (Col. 4,

lines 30-37). A manual selector switch allows one of the three decoders to be connected between the microprocessor of the video recorder and the remote control transmitter (Col. 4, lines 38-40).

**Kwoh (5,852,478)**

Kwoh discloses a programming device for programming a VCR which uses an IR transmitter to transmit programming information entered by a user, in the form of G-Codes, to the VCR (col. 6, lines 7-16). To verify that the user has correctly entered the programming information (i.e., the G-Code), the programming device extracts VPS signals, which contain television program information, from the vertical blanking intervals of the television signal and compares the VPS information to the programming information entered by the user (col. 7, lines 1-57). The programming device receives the television signal over a cable that runs between the VCR and the programming device (Col. 5, lines 21-29).

**No Motivation to Combine the References**

The rejection of claims 1 and 23-41 is improper because there is no motivation to combine the Levine and Kwoh references. The Office Action asserts that Kwoh teaches the use of a broadcast medium to send signals to a first device that are then transmitted to a second device for control of the second device. The Office Action further asserts that it would have been obvious to incorporate this feature into Levine because it assists the user in programming a VCR to record a program. Applicant respectfully disagrees with these assertions.

As discussed above, the video recorder disclosed by Levine includes three separate decoders for sending signals from the video recorder to the cable box, each of the decoders formatting signals for a different make of cable box. That is, the capability to provide different signal formats for different makes of cable boxes is hardwired into the system of Levine.

Thus, Levine actually teaches away from the combination asserted in the Office Action, because Levine teaches the different formats of signals that may be provided to the cable box should be hardwired in the video recorder (i.e., by providing multiple hardware decoders) and not received over a broadcast medium. Thus, the combination of Levine and Kwoh is improper and should be withdrawn.

**The Claims Distinguish Over The Combination**

Assuming, *arguendo*, that one were to combine the Kwoh and Leveine references, Applicant's claims still distinguish over any such combination.

**A. Rejections under the combination of Levine and Kwoh**

Claims 1 and 32 were rejected under 35 U.S.C. §103(a) as unpatentable over Levine and Kwoh. Applicant respectfully traverses these rejections.

Although, the Office Action fails to describe the system that would result from the combination of Kwoh and Levine, the combination would result in a system that includes the video recorder of Levine and the remote controller of Kwoh. More specifically, the combination would result in a system in which the remote controller of Kwoh is programmed to cause the video recorder of Levine to record a television program at time and channel specified by a user inputting a G-Code into the remote controller of Kwoh. When the remote controller of Kwoh wirelessly transmits a signal to the video recorder of Levine that causes the video recorder to begin recording, the video recorder of Levine tunes the cable box to the correct channel.

**Claim 1**

Claim 1 is directed to a method of controlling a first and a second remote controlled apparatus. The method comprises steps of: receiving, at said first apparatus, first control signals that are associated with a first remote control device, said first apparatus being operatively responsive to said first control signals and to signals received from a broadcast medium that provides at least one of audio and video signals from a media content provider; receiving, at said first apparatus, second control signals from said broadcast medium that are associated with a second remote control device that is physically distinct from the first remote control device, said second apparatus being operatively responsive to said second control signals; storing said second control signals in said first apparatus; accessing said stored second control signals responsive to selected ones of said first control signals; and wirelessly transmitting said accessed second control signals from said first apparatus to said second apparatus to remotely control said second apparatus responsive to selected ones of said first control signals received from said first remote control device.

Neither Levine nor Kwoh, whether taken alone or in combination, discloses or suggests, "receiving, at said first apparatus, second control signals from said broadcast medium that are associated with a second remote control device that is physically distinct from the first remote control device" and "wirelessly transmitting said accessed second control signals from said first apparatus to said second apparatus to remotely control said second apparatus responsive to selected ones of said first control signals received from said first remote control device," as recited in claim 1. While Kwoh discloses extracting VPS codes from a television signal (i.e., to verify that a user has correctly entered a G-Code), the remote controller of Kwoh never transmits these VPS codes to the video recorder. The remote controller simply transmits signals that cause the video recorder to start and stop recording at the specified time. Thus, the VPS codes are not received by the video recorder. Further, these VPS codes are never transmitted from the video recorder to the cable box. The video recorder only transmits to the cable box (via a remote controller attached to the video recorder by a flexible cable) signals for turning on and off the cable box and tuning the cable box to the correct channel. No VPS codes extracted from the television signal are transmitted from the video recorder to the cable box, as the video recorder does not even have access to these VPS codes.

Thus, claim 1 patentably distinguishes over Levine and Kwoh individually or in combination. Accordingly, it is respectfully requested that the rejection of claim 1 under 35 U.S.C. §103 (a) be withdrawn. Claims 23-31 depend from claim 1 and are patentable for at least the same reasons as discussed above in connection with claim 1. Accordingly, it is respectfully requested that the rejection of claims 23-31 be withdrawn.

### **Claim 32**

Claim 32 is directed to a remotely controlled apparatus, comprising: first receiving means for receiving first control signals from a first remote control device; second receiving means for receiving signals from a broadcast medium that provides at least one of audio and video signals from a media content provider, said signals from the broadcast medium including second control signals that are associated with a second remotely controlled apparatus that is operatively responsive to said second control signals from a second remote control device that is physically distinct from the first remote control device; and storage means for storing said second control

signals; control means for accessing said stored second control signals responsive to selected ones of said first control signals thus obtaining accessed second control signals; and transmitting means for wirelessly transmitting said accessed second control signals to said second remotely controlled apparatus to remotely control said second remotely controlled apparatus; wherein the transmitting means is further operative to wirelessly transmit said accessed second control signals received by said second receiving means from the broadcast medium to said second remotely controlled apparatus as said second control signals, to remotely control the second remotely controlled apparatus.

As should be clear from the discussion above, neither Levine nor Kwoh, taken alone or in combination discloses or suggests, “second receiving means for receiving signals from a broadcast medium that provides at least one of audio and video signals from a media content provider, said signals from the broadcast medium including second control signals that are associated with a second remotely controlled apparatus that is operatively responsive to said second control signals from a second remote control device that is physically distinct from the first remote control device” and “means for wirelessly transmitting said accessed second control signals to said second remotely controlled apparatus to remotely control said second remotely controlled apparatus; wherein the transmitting means is further operative to wirelessly transmit said accessed second control signals received by said second receiving means from the broadcast medium to said second remotely controlled apparatus as said second control signals, to remotely control the second remotely controlled apparatus,” as recited in claim 32.

Thus, claim 32 patentably distinguishes over Levine and Kwoh individually or in combination. Accordingly, it is respectfully requested that the rejection of claim 32 under 35 U.S.C. §103(a) be withdrawn. Claims 33-35 depend from claim 32 and are patentable for at least the same reasons as discussed above in connection with claim 32. Accordingly, it is respectfully requested that the rejection of claims 33-35 be withdrawn.

**B. Rejections under the combination of Levine and Kwoh and Geiger**

Claim 36 was rejected under 35 U.S.C. §103(a) as unpatentable over the combination of Levine and Kwoh, further in view of Geiger (5,081,534)

Geiger is directed to a television receiver having a remote control system capable of controlling associated peripheral devices manufactured by different companies. The television receiver “performs a ‘learning process’ in which it learns the previously unknown codes for various functions of a peripheral device from the remote control transmitter supplied by the manufacturer of the peripheral device and stores them.” (Col. 2, lines 22-27.) After the learning process, “when the remote control signal for a particular function of the peripheral device is received from a ‘unified’ remote control transmitter supplied by the manufacturer of the television receiver, the television receiver automatically converts the code (which is not suitable for the peripheral device) of the received remote control signal into a new code, suitable for controlling the respective function of the peripheral device.” (Col. 2, lines 30-40.) Thus, the television receiver serves as a receiving, translation and relay station for the remote control signal sent by the unified remote control transmitter (col. 2, lines 55-61).

### **Claim 36**

Claim 36 is directed to a remote control system comprising: a first remotely controlled apparatus operationally responsive to first control signals associated with a first remote control device and to signals received from a broadcast medium that provides at least one of audio and video signals from a media content provider; and a second remotely controlled apparatus operatively responsive to second control signals associated with a second remote control device that is physically distinct from the first remote control device; wherein said first remotely controlled apparatus wirelessly transmits said second control signals to said second remotely controlled apparatus based upon said signals received from the broadcast medium to remotely control said second remotely controlled apparatus responsive to selected ones of said first control signals.

As should be clear from discussion above, neither Levine nor Kwoh, taken alone or in combination, discloses or suggests that the “first remotely controlled apparatus wirelessly transmits said second control signals to said second remotely controlled apparatus based upon said signals received from the broadcast medium to remotely control said second remotely controlled apparatus responsive to selected ones of said first control signals,” as recited in claim 36. Geiger does not cure this infirmity of Levine and Kwoh, as Geiger merely discloses

wirelessly transmitting signals between a remote control device and one or more peripheral devices. Geiger does not disclose or suggest wirelessly transmitting control signals from a first remotely controlled apparatus to a second remotely controlled apparatus.

Thus, claim 36 patentably distinguishes over Levine, Kwoh, and Geiger individually or in combination. Accordingly, it is respectfully requested that the rejection of claim 36 under 35 U.S.C. §103(a) be withdrawn. Claims 37-41 depend from claim 36 and are patentable for at least the same reasons as discussed above in connection with claim 36. Accordingly, it is respectfully requested that the rejection of claims 37-41 be withdrawn.

**CONCLUSION**

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believed, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge the deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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